



Docket No.: 1349.1024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Soo han PARK

Serial No. 09/852,002

Group Art Unit: 2627

Confirmation No. 4122

Filed: May 10, 2001

Examiner: Kim Kwok CHU

For: COMPATIBLE OPTICAL DISK PLAYER AND DATA RECORDING AND
REPRODUCING METHOD

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed February 13, 2007.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of various claims. The reasons for allowance set forth starting on page 2 of the Notice of Allowability sets forth specific features not found in the prior art. It is submitted that the Examiner's statement is not an accurate quote with respect to a number of the claims. For example, the apparatus of claim 3 does not directly recite "a diffraction grating splitting the first and second laser beams into three rays having a main ray and sub-rays depending on which optical disk to be accessed; and a photo-detector having a

central portion and at least one peripheral portion, the central detecting portion receiving the main ray of the first laser beam based on the first position of the diffraction grating and at least one of the peripheral portions receiving the main ray of the second laser beam based on the second position of the diffraction grating." As such, it is submitted that the Examiner's statement is not a suitable reason for allowance. The claim language should be used to determine the reasons for allowance.

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

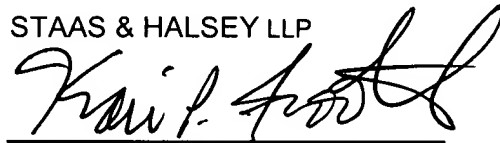
It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

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